



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/704,218  | 11/01/2000  | Rodney S. Daughtrey  | 09765-023001        | 2649             |
| 26161   | 7590        | 12/02/2004           | EXAMINER            |                  |
| FISH & RICHARDSON PC<br>225 FRANKLIN ST<br>BOSTON, MA 02110 |             |                      | VU, THANH T         |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2174                |                  |

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |   |  |
|------------------------------|--------------------------------------|---|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>09/704,218 | <b>Applicant(s)</b><br>DAUGHTREY, RODNEY S. |  |
|                              | <b>Examiner</b><br>Thanh T. Vu       | <b>Art Unit</b><br>2174                     |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 July 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 and 31-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 and 31-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

This communication is responsive to Amendment, filed 07/26/2004.

Claims 1-26, 31-43 are pending in this application. In the Amendment, claims 27-30 were cancelled, claim 43 was added, and claims 1-5, 7-9, 12-16, 18-20, 23-26, 31, 33-35, 37, 39-41 were amended. This action is made Final.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-26, 31-34, 36-40, 42-43 rejected under 35 U.S.C. 103(a) as being unpatentable over Iyengar et al ("Iyengar", U.S Pat. No. 6,360,205) and Garland (U.S Pat. No. 6,252,596).

As per independent **claim 1**, Iyengar discloses a user interface for presenting travel itineraries to a user comprising:

an itinerary region for displaying segments of travel itineraries, each travel itinerary having a corresponding value or a first travel criterion, the travel itineraries being grouped into a first set categories based on the values of the first travel criterion (FIG. 10, col. 11, line 27-30); and

a filter region including a plurality of cells, each cell associated with one of the first set of categories of travel itineraries (FIG.8, col. 11, lines 13-15), with selecting of one of the plurality of cells in the filter region, causing the itinerary region to display only travel itineraries in the

Art Unit: 2174

one of the first set of categories associated with the selected cell in the filter region (FIG. 10,

Airlines: Delta Air Lines, United, FFW); and

a first segment of an itinerary that has a location of arrival for the first segment that is different from a location of departure for the next segment of the itinerary (FIG. 10; col. 11, lines 27-30; Itinerary Delta Air Lines; Arrival for the first segment (Delta 1197): Los Angeles, CA is different from the departure for the next segment (Delta 1549): Denver, CO).

Iyengar does not teach an indicator applied to the first segment of an itinerary that has a location of arrival for the first segment that is different from a location of departure for the next segment of the itinerary to indicate to the user that the itinerary has different locations of arrival and departure for the first and the next segments.

Garland teaches highlighting various text attributes including italics, font size, font type, bold face font, print color, and background color for emphasis (FIG.2, Morphable Attributes).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the highlighting features of Garland in the travel display of Iyengar because it allows the user to customize the display presentation to emphasize information to the user in an optically ergonomic way while minimizing eye strain, tension, and headaches (col.1, lines 32-34, col.10, lines 54-55, lines 56-57). Additionally, highlighting the display presentation to alert the user can be done in a pleasant or agitating way by varying the attributes accordingly. For example, varying the intensity of the background colors and using red will alert the user in an agitating manner. Likewise, altering font size and style will alert the user in a pleasant way.

As per **claim 2**, which is dependent on claim 1, Iyengar teaches wherein each travel itinerary has a corresponding value for a second different travel criterion, the travel itineraries

Art Unit: 2174

being grouped into the first set of categories based also on the value of the second different travel criterion (FIG.10, Departing City) and the cells are arranged in rows and columns, with cells associated with the first set of categories having the same value for the first travel criterion being positioned in the same row and cells associated with the first set of categories having the same value for the second travel criterion being positioned in the same column (FIG.10, Arriving City).

As per **claim 3**, which is dependent on claim 1, Iyengar teaches wherein the filter region further includes a plurality of tabs (FIG.23, Criterion: Round Trip or One Way); and

the user causes the filter region to display the plurality of cells associated with the first set of categories based on the first criterion by selecting a tab (FIG.23, col.17, lines 34-36).

As per **claim 4**, which is dependent on claim 1, Iyengar teaches wherein the indicator is at least one of italic, font size, font type, bold face font, print color, or background color applied to the text representing the airports (FIG.2, Morphable Attributes).

As per **claim 6**, which is dependent on claim 4, Iyengar teaches wherein the at least one of the plurality of cells displays a cost of travel (FIG. 10).

As per **claim 7**, which is dependent on claim 1, Iyengar teaches the indicator is applied to airport associated with the segments (Fig. 10).

As per **claim 8**, which is dependent on claim 1, Iyengar teaches wherein at least one of the first itinerary and filter region is represented in a tagged format and the tagged format is either Hypertext Markup Language or extensible Markup Language (col.15, lines 11-12).

As per claims **9-10**, which is dependent on claim 1, Iyengar teaches wherein at least one of the plurality of cells is associated with a link, the link causing the itinerary region to display

Art Unit: 2174

only travel itineraries in the one of the first set of categories associated with the cell when a user selects the cell (FIG.10, Link to Web Special) and also wherein the link is either an xlink or a uniform resource location link (col.16, lines 49-50).

As per **claim 11**, which is dependent on claim 1, Iyengar teaches wherein the itinerary region further displays a detail link associated with each itinerary, the detail link being configured to display detailed information about the itinerary associated with the link when the link is selected (FIG.10, Book this Fare).

**Claims 12-15 and 17-22**, are similar in scope to claims 1-4 and 6-11, and therefore are rejected under the same rationale.

As per **claim 5 and claim 16**, which is dependent on claim 1, Iyengar teaches wherein the first travel criterion is selected from a group that includes airline, departure time, arrival time, location of departure, location of arrival, number of stops, cost (FIG.10). Iyengar does not specifically disclose the criterion such as travel restrictions, expected delays, and safety records. Official Notice is given that the use of such criterion, is well known in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention to include these criterion in the travel criteria group of Iyengar because it would better the customization of travel plans.

As per **claim 23-24**, Iyengar teaches a user interface comprising:

a first region display a first segment of an itinerary including a location of departure and a location of arrival for the first segment (FIG. 10; col. 11, lines 27-30; Itinerary Delta Air Lines; Departure for the first segment (Delta 1197): Denver, CO; Arrival for the first segment (Delta 1197): Los Angeles, CA; ); and

a second region to display the next segment of the itinerary including a location of departure and a location of arrival for the next segment with the location of arrival for the first segment being different from the location of departure for the next segment (FIG 10; col. 11, lines 27-30; Itinerary Delta Air Lines; Departure for the next segment (Delta 1549): Denver, Co; Arrival for the next segment: Los Angeles; Arrival for the first segment (Delta 1197): Los Angeles, CA is different from the departure for the next segment (Delta 1549): Denver, CO).

Iyengar does not disclose at least one of the first region and the second region is emphasized to indicate to the user that the itinerary has a different location of arrival for the first segment from the location of departure for the next segment.

Garland teaches highlighting various text attributes including italics, font size, font type, bold face font, print color, and background color for emphasis (FIG.2, Morphable Attributes).

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the highlighting features of Garland in the travel display of Iyengar because it allows the user to customize the display presentation to emphasize information to the user in an optically ergonomic way while minimizing eye strain, tension, and headaches (col.1, lines 32-34, col.10, lines 54-55, lines 56-57). Additionally, highlighting the display presentation to alert the user can be done in a pleasant or agitating way by varying the attributes accordingly. For example, varying the intensity of the background colors and using red will alert the user in agitating manner. Likewise, altering font size and style will alert the user in a pleasant way.

Claims **25-26** are similar in scope to claims 23-24, and are rejected under similar rationale.

**Claims 31-34** are similar in scope to claim 24, and are rejected under similar rationale.

As per **claim 36**, which is dependent on claim 34, Iyengar teaches wherein the first segment is a travel segment and the alert is selected from a group that includes notification of fee for changing the travel segment fare (fig. 10; col. 13, lines 40-50). Iyengar does not expressly teach alert for notification of non-refundable travel fee, overnight travel, or unknown seat availability. Official Notice is given that such are well known in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention to include these features because it would prevent any unexpected charges to incur and provide the user with complete information to base their travel decisions.

**Claims 37-40 and 42** are similar in scope to claims 31-34 and 36, and are therefore rejected under similar rationale.

As per **claim 43**, Iyengar and Garlan teaches the article of claim 25, wherein the indicator (FIG.2, Morphable Attributes) is applied to at least one of the location of arrival for the first segment that is different from a location of departure for the next segment to emphasize that the itinerary has a different locations of arrival and departure for the first and the next segments (Iyengar; FIG. 10; col. 11, lines 27-30; Itinerary Delta Air Lines; Arrival for the first segment (Delta 1197): Los Angeles, CA is different from the departure for the next segment (Delta 1549): Denver, CO).

Claims 35, 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iyengar ("Iyengar", U.S Pat. No. 6,360,205) and Dettelbach et al. ("Dettelbach", U.S. Pat. No. 5,253,166).



Art Unit: 2174

As per **claim 35**, Iyengar teaches the user interface of claim 34, but does not teach wherein for a layover, the alert is selected from a group that includes notification of a short duration layover and a long duration layover. Dettelbach teach wherein for a layover, the alert is selected from a group that includes notification of a short duration layover and a long duration layover (fig. 3; col. 8, lines 25-30). It would have been obvious to one of ordinary skill in the art at the time of the invention to include the layover in the itinerary of Iyengar in order to give user the detail layout of the travel itinerary. Thus, it would allow a user better detail itinerary in planning a trip.

**Claim 41** is rejected under the same rationale as claim 35.

### ***Response to Arguments***

Applicant's arguments with respect to the amendment have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

Art Unit: 2174

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Inquiries***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh T. Vu whose telephone number is (571) 272-4073. The examiner can normally be reached on Mon-Thur and every other Fri 8:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

T. Vu

  
KRISTINE KINCAID  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2103